

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

\_\_\_\_\_  
INTERDIGITAL COMMUNICATIONS CORP.,  
a Pennsylvania corporation, and  
INTERDIGITAL TECHNOLOGY CORP.,  
a Delaware corporation,

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD.

a Korean corporation,

SAMSUNG ELECTRONICS AMERICA, INC.,

a New York corporation, and

SAMSUNG TELECOMMUNICATIONS

AMERICA LLC, a Delaware corporation,

Defendants.

Civil Action No.: 07-165 JJF

**JURY TRIAL DEMANDED**

**AFFIDAVIT PURSUANT TO D. DEL. LR 4.1 (b)**

STATE OF DELAWARE

:

: SS:

COUNTY OF NEW CASTLE

:

**BE IT REMEMBERED** that on this 24<sup>th</sup> day of April, A.D. 2007, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Richard K. Herrmann, attorney for the Plaintiff, who being sworn according to law did depose and say as follows:

1. That to the best of his knowledge, the Defendant Samsung Electronics America, Inc. is a nonresident of the State of Delaware whose name and address is as follows:

Samsung Electronics America, Inc.  
105 Challenger Road  
Ridgefield Park, NJ 07660

2. That on March 23, 2007, the Complaint in the above-captioned action was filed and

that on March 23, 2007 the Clerk issued a Summons to serve the Secretary of State pursuant to 10 Del. C. § 3104.

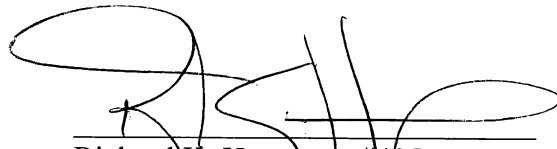
3. That on March 30, 2007, the Return of Service was filed, a copy of which is attached as Exhibit A.

4. That on April 4, 2007, the said Richard K. Herrmann, Esquire, caused a copy of the Notice, attached hereto as Exhibit B, to be mailed by Registered Mail to the following defendant: Samsung Electronics America, Inc.

5. That on April 13, 2007, he, Richard K. Herrmann, Esquire, received from the postal authority the domestic return receipt attached hereto as Exhibit C.

6. That the said receipt has the same registered number, to-wit: RB 420 633 714 US, as the receipt received at the time of the mailing of said notice, attached hereto as Exhibit D.

Dated: April 24, 2007



Richard K. Herrmann #405  
MORRIS JAMES LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, Delaware 19801  
(302) 888-6800  
rherrmann@morrisjames.com

SWORN TO AND SUBSCRIBED before me the day and year aforesaid:



Notary Public

**SHEILA M. GODWIN**  
Notary Public - State of Delaware  
My Comm. Expires Mar. 17, 2009

# **EXHIBIT A**

UNITED STATES DISTRICT COURT

District of Delaware

INTERDIGITAL COMMUNICATIONS CORP. and  
INTERDIGITAL TECHNOLOGY CORP.,  
Plaintiffs,

SUMMONS IN A CIVIL CASE

V.

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG  
ELECTRONICS AMERICA, INC. and SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC,  
Defendants.

CASE NUMBER:

07 - 165

TO: (Name and address of Defendant)

Samsung Electronics America, Inc.  
c/o Delaware Secretary of State  
401 Federal Street, Suite 3  
Dover, DE 19901

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Richard K. Herrmann, Esq.  
Mary B. Matterer, Esq.  
Morris James LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, DE 19801  
302.888.6800

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

CLERK

DATE

3-23-07

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>MARCH 23, 2007</u>	
NAME OF SERVER (PRINT) <u>Sean Boykevich</u>	TITLE <u>Special Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where <u>The Delaware Secretary of State 401 Federal Street Dover DE 19901 Served Melanie Keeler at 4<sup>48</sup>pm</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were _____		
<input type="checkbox"/> Returned _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>3/23/07</u> _____  <div style="display: flex; justify-content: space-between; width: 100%;"> <span>Date</span> <span>Signature of Server</span> </div> <div style="text-align: center; margin-top: 10px;"> <u>PARCELSTAX</u>  <u>15 E. North Street Dover DE 19901</u>  <small>Address of Server</small> </div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**Service of Process:**

1:07-cv-00165-JJF Interdigital Communications Corporation et al v. Samsung Electronics Co. Ltd. et al  
PATENT

**U.S. District Court**

**District of Delaware**

**Notice of Electronic Filing**

The following transaction was entered by Herrmann, Richard on 3/30/2007 at 5:34 PM EDT and filed on 3/30/2007

**Case Name:** Interdigital Communications Corporation et al v. Samsung Electronics Co. Ltd. et al  
**Case Number:** 1:07-cv-165  
**Filer:** Interdigital Technology Corporation  
Interdigital Communications Corporation  
**Document Number:** 7

**Docket Text:**

Return of Service Executed by Interdigital Communications Corporation, Interdigital Technology Corporation. Samsung Electronics America Inc. served on 3/23/2003, answer due 4/12/2003. (Herrmann, Richard)

**1:07-cv-165 Notice has been electronically mailed to:**

Richard K. Herrmann rherrmann@morrisjames.com, shadley@morrisjames.com, tpullan@morrisjames.com

**1:07-cv-165 Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1079733196 [Date=3/30/2007] [FileNumber=366345-0]  
[4a6d2a0813f9e4eb02f72fe6176efa31d5189261a77b3fea99311b4b26b6fb9e2d1b  
91f1114570e4485ce949762f2b20eba08477385de386d61b61013cd6cb7c]]

# **EXHIBIT B**

# Morris James LLP

Richard K. Herrmann  
302.888.6816  
rherrmann@morrisjames.com

April 4, 2007

**VIA REGISTERED MAIL RB 420 633 714 US  
RETURN RECEIPT REQUESTED**

Samsung Electronics America, Inc.  
105 Challenger Road  
Ridgefield Park, New Jersey 07660

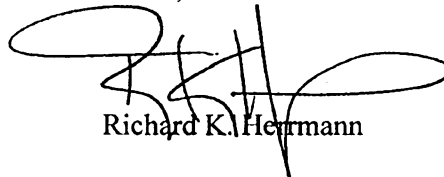
**Re: *Interditigal Communications Corporation et. al, v. Samsung  
Electronics Co. Ltd, et. al, D. Del., C.A. No. 07-165 SLR***

To Whom It May Concern:

Please be advised that Samsung Electronics America, Inc. has been served with Process (Summons) and Complaint in Delaware pursuant to 10 Del. C. § 3104. Service of the original Summons and Complaint in the above referenced case has been made upon the Delaware Secretary of State as agent for acceptance of legal process. Under 10 Del. C. § 3104, such service is as effectual to all intents and purposes as if it had been made upon Samsung Electronics America, Inc. within Delaware.

Enclosed please find a copy of the Summons and Return of Service and the Complaint. Thank you for your attention to this matter.

Yours,



Richard K. Herrmann

RKH/tp  
Enclosures



# **EXHIBIT C**

**DELIVERY**

- item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
  - Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

SAMSUNG Electronics.  
America, Inc.  
105 Challengee Road  
Ridgefield Park, NJ  
07660

## 2. Article Number

(Transfer from service label)

RB 420 633 714 US

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☒ No

## 3. Service Type

☐ Certified Mail☐ Express Mail☒ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

# **EXHIBIT D**

Registered No. <b>R13 420633-714US</b>		Date Stamp <b>APR 5 2007</b>
To Be Completed By Post Office	Reg. Fee <b>2.85</b>	
	Handling Charge	Return Receipt <b>1.85</b>
	Postage	Restricted Delivery
	Received by <b>EK</b>	
	Customer Must Declare Full Value \$ <b>— — —</b>	
		<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance
<b>OFFICIAL USE</b>		
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	<b>MORRIS JAMES LLC</b> <b>RICHARD HERRMANN</b> <b>500 Delaware Ave.</b> <b>Wilm. DE 19899</b>
	TO	<b>Samsung Electronics America</b> <b>105 Challenger Road</b> <b>Ridgely Park,</b> <b>MD 20760</b>

PS Form 3806, **Receipt for Registered Mail** Copy 1 - Customer  
 May 2004 (7530-02-000-9051) (See Information on Reverse)  
 For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)®